

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JAN ALEC WEITH,

Plaintiff,

v.

GOVERNOR GAVIN NEWSOM et al.,

Defendants.

/

Case No. 1:22-cv-01256-JLT-SKO

**ORDER TO AMEND APPLICATION TO
PROCEED IN FORMA PAUPERIS OR
PAY FILING FEE**

(Doc. 2)

TWENTY-ONE DAY DEADLINE

Plaintiff Jan Alec Weith, a pro se litigant, filed a complaint on September 30, 2022, along with an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 (“IFP Application”). (Docs. 1 & 2.) Plaintiff’s IFP Application includes several deficiencies. First, Plaintiff failed to provide a complete response to the question regarding his employment history, as the Court is unable to discern any information other than his date of last employment. Second, Plaintiff failed to answer the question “Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value?” and included unintelligible handwriting in the space following the question. Finally, Plaintiff did not respond to the questions asking him to list the persons who depend on him for support, and state their relationship to him and how much he contributes to their support. Instead, there is unintelligible handwriting in the response space for that question. Therefore, because Plaintiff failed to provide a complete IFP Application that properly describes his financial circumstances, the Court is unable to determine at this time whether Plaintiff is entitled to proceed without prepayment of fees in this action.

Accordingly, IT IS HEREBY ORDERED that, **within 21 days from the date of this Order,**

1 Plaintiff shall either (1) file an amended IFP Application that fully responds to all applicable
2 questions, including disclosing his employment history, the value of the property Plaintiff owns,
3 and persons dependent on him for financial support; or (2) pay the \$402.00 filing fee for this action.

4 **The Court cautions Plaintiff that if he fails to comply with this Order, the undersigned**
5 **will recommend to the assigned district judge that this action be dismissed for failure to**
6 **prosecute his case and to obey a court order.**

7
8 IT IS SO ORDERED.

9 Dated: **October 5, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE